

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

CARMEN A. FLORES on her own behalf
and on behalf of others similarly
situated,

Plaintiff,

- v -

TORINO'S GOURMET KITCHEN and MANNY
KESS, an individual,

Defendants.

-----X

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

ORDER

08 Civ. 4957 (NRB)

WHEREAS the parties entered into a Confidential Settlement Agreement in this case on October 10, 2008; and

WHEREAS the Court so ordered a Stipulation and Order of Dismissal on October 30, 2008; and

WHEREAS the Settlement Agreement set forth a schedule of payments that called for eight consecutive payments of \$1,000 by defendants to plaintiff's counsel's office on the 30th of each month; and

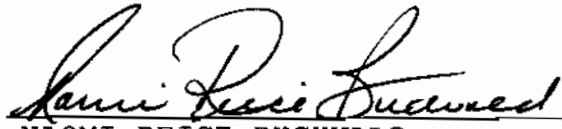
WHEREAS the Settlement Agreement further provided that in the case of breach and failure to cure within five business days of a notice to cure, a judgment in the amount of \$8,000 may be

entered in plaintiff's favor, less the amount already paid, plus interest and \$1,500 in attorney's fees; and

WHEREAS plaintiff's counsel has represented to this Court that plaintiff has received only the first payment installment, and defendants have failed to respond to multiple notices to cure and a Notice of Default; it is hereby

ORDERED that plaintiff have judgment against defendants in the amount of \$8,500.

Dated: New York, New York
March 12, 2009



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

A copy of the foregoing Order has been mailed on this date to the following:

Attorney for Plaintiff

Roman Avshalumov, Esq.
Helen F. Dalton & Associates. PC
69-12 Austin Street
Forest Hills, NY 11375

Attorney for Defendants

Vincent M. Lentini, Esq.
600 Old Country Road, Suite 202
Garden City, NY 11530